

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil)...../2010  
CC 11110/2010

(From the judgement and order dated 20/05/2010 in WP No. 2838/2010  
of The HIGH COURT OF DELHI AT N. DELHI)

FEDERATION OF DELHI BUS OPERATORS Petitioner(s)

VERSUS

STATE TRANSPORT AUTH.& ORS. Respondent(s)

(With appln(s) for permission to file SLP and prayer for interim relief ))

Date: 02/08/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN  
HON'BLE MR. JUSTICE H.L. GOKHALE

For Petitioner(s) Mr.Ranjit Kumar,Adv.  
Mrs Rani Chhabra,Adv.  
Mr.P.Gupta,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following  
O R D E R

Permission to SLP granted. Application for deletion of  
Proforma Respondent Nos.10-12 is allowed.

The Petitioner(Federation of Delhi Bus Operators) were not parties to the writ petition before the High Court. According to petitioner, bus operators are being unnecessarily harassed by police by mis-interpreting certain directions/observations in M.C. Mehta vs. Union of India 1997(8) SCC 770. They submit that some bus operators had approached the High Court seeking certain relief on the ground that the decision in M.C.Mehta was explained in the decision in UPSRTC vs. Commissioner of Police 2009(3)SCC 634. The Learned Single Judge of the High Court who heard the writ petition felt that as the decision in M.C. Mehta was of a bench of three judges and the decision in UPSRTC was of a bench of two Judges, the Petitioners should seek clarification from this Court as to whether the decision in UPSRTC would substitute the directions in M.C.

Mehta. He has, therefore, disposed of the petition. In the peculiar circumstances the Federation has filed this SLP though the normal remedy is by way of an intra-court appeal. Having regard to the nature of question raised and its immediate relevance, we are of the view that this Petitioner required to be treated as an application for further clarifications/directions in M.C.Mehta vs. Union of India - 1997(8) SCC 770. The SLP is accordingly disposed of.

This will not come in the way of the decision of the Learned Single Judge being challenged in an intra court appeal before a decision bench of the High Court.

(Shivraj Kaur)  
PS to Addl.Regr.)

(M.S. Negi)  
(Court Master)